Worklogic Whitepaper

Defence Abuse Response Taskforce: A Reflection

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1. Introduction

Anyone observing the media over the past decade, and perhaps earlier, will be in no doubt the ADF has struggled to combat sexual misconduct amongst its ranks for some time. While the ADF does not stand alone in this issue, it has perhaps until recently been more heavily scrutinised than any other organisation. This may be because the wider public demands more from its Defence Force or because those abused have finally been given an opportunity to have their victimisation regarded seriously.

The Defence Abuse Response Taskforce (DART) was created in the wake of other attempts to finally address the issues of sexual and other forms of abuse experienced by past and present members of the ADF. This paper will explore the work of the DART by providing a summary of the taskforce’s methodology and outline the extent of abuse in the ADF.

In an effort to provide context, two other organisations – one small and one medium – will be discussed to illustrate that abuse is not confined or mishandled by only large organisations.

After examining the contributing factors and common themes relevant to the ADF, the author provides a personal insight into the Navy and the changes he witnessed during his nearly 22 year career.

Finally, readers are provided with ways to ensure their organisation’s culture is strong enough to minimise abuse.

2. Background

Since 1971, the ADF had conducted a number of reactive reviews into the report of abuse, however, it was not until the DLA Piper Review was conducted that the full extent of abuse was realised. As a result, it was determined that not only did the issue of abuse required deeper understanding, but a plan for resolution needed to be initiated.

2.1 A history of attempts to address abuse

On the 9th of April 2011, then Chief of Defence Force (CDF), Air Chief Marshal Angus Houston said of the so-called Skype\(^1\) incident at the Australian Defence Force Academy (ADFA) that it was an ‘abhorant but isolated incident’ (Snow & Oakes, 2011). While Angus Houston’s comment was an attempt at preventing hysteria, it comes after a history of reviews which have sought to tackle issues of abuse within the ADF. The Rapke Report\(^2\) in 1971, the HMAS Swan Senate Inquiry\(^3\) in 1994, the Grey Report\(^4\) in 1998, among others, all sought to address various forms of abuse and harassment, however, their responses fell short of expectation. Sadly, at the time Houston made his comment, a final report into unacceptable behaviour onboard HMAS Success\(^5\) had been handed down and the so-called Jedi Council\(^6\) would
shortly receive media attention. It is not surprising a deluge of complaints about abuse by former and current members of the ADF would follow his comment.

2.2 The DLA Piper Review

To properly understand why the Defence Abuse Response Taskforce (DART) was established it is necessary to consider the findings of the preceding review conducted by law firm DLA Piper.

Established originally to assess the allegations raised in the fall out of Skype, the DLA Piper Review’s terms of reference was expanded to include submissions made by the public. By the cut-off date of 17 June 2011, over 800 people had made submissions to the Review, registering complaints of varying levels of abuse alleged to have occurred as early as 1951. All allegations were assessed and options identified for future remediation, however, the Review stopped short of making findings about whether the abuse had taken place, or identifying those responsible.

At its conclusion, the Review tabled its report entitled ‘Report of the Review of allegations of sexual and other abuse in Defence’ (Rumble, McKean & Pearce, 2011), which made a number of findings of note:

i. Past reports and inquiries had failed to address past victimisation, preferring to opt for strategies aimed to reduce future instances of abuse;

ii. Offenders and those who failed to properly manage reports of abuse had not been appropriately dealt with, and were potentially in positions of authority; and

iii. Because of poor complaint handling or under-reporting, and the stigma of reporting abuse, victims were at risk, and in need of counselling and support.

DLA Piper had determined abuse had been widespread and spanned many years, and despite best efforts, the ADF had systemic issues relating to complaint handling and victim support. Among its many recommendations, the Review urged the ADF to establish a complaints resolution program to address not only instances of abuse referred to DLA Piper, but by anyone willing to come forward.

3. The Defence Abuse Response Taskforce (DART)

The Defence Abuse Response Taskforce or DART was charged with the responsibility of mapping the full extent of abuse within the ADF, classifying it in line with contemporary abuse types and findings ways of providing realistic and tangible resolution for any of the victims which came forward.

Following the recommendations of the DLA Piper Review, the Defence Abuse Response Taskforce was established to assess and provide workable solutions to victims of abuse.
The Taskforce’s overarching mandate was to ‘provide a range of outcomes to individuals … which might not otherwise be available through legal or administrative purposes’ (Defence Abuse Response Taskforce [DART], 2014)

### 3.1 The DART methodology

#### 3.1.1 The types and definitions of abuse

The Taskforce, as directed by its Terms of Reference, examined various forms of abuse and attributed definitions which mirrored contemporary themes:

**Sexual abuse**
- Unwanted conduct of a sexual nature, committed against a person without their consent. It does not necessarily require physical contact between the person and the alleged abuser and can include conduct in the presence of the person.

**Physical abuse**
- Physical abuse may include (but not limited to) incidents where, without consent of a person, an individual or group either directly or indirectly applies force or threatens physical violence, engages in harsh disciplinary practices which cause physical injury, deprivation of liberty and drugging a person.

**Sexual Harassment**
- Unwanted and non-consensual conduct of a sexual nature, which makes people feel offended, humiliated or intimidated. It can be obvious or indirect, physical or verbal, repeated or one-off and perpetrated by males and females against people of the same or opposite sex.

**Harassment/Bullying**
- Offensive, belittling or threatening behaviour towards an individual or group. The behaviour is unwelcomed, unsolicited, usually unreciprocated, and often repeated. (DART, 2014, p. 21-22)

Each allegation of abuse matching one of the four main types was then tested for its plausibility. Plausibility, as a standard of proof, falls below the civil standard of on the balance of probabilities and was chosen to recognise the issues raised by historical acts of abuse such as a lack of reporting, availability of witnesses and records. By lowering the assessment threshold, the Taskforce ensured better success and reduced the risk of complaint exclusions a higher threshold could have caused. With that said, complainants were required to submit statutory declarations and submit documentation, where possible, for verification against available medical and ADF records.

#### 3.1.2 Options and outcomes for complainants

Once deemed plausible, one or more of the following outcomes were made available to a complainant:
Referral to the Defence Abuse Counselling Program

Complainants were offered an initial 10 counselling sessions to address issues arising from their victimisation, with the option to extend to 20 if circumstances warranted. By October 2014, over 2900 sessions had been approved.

Defence Abuse Reparation Scheme

The Defence Abuse Reparation Scheme provides financial payments, ranging from $5000 to $45 000, to victims of abuse. The scheme distinguishes itself from compensation in that payments were not made to ‘compensate’ for the results of abuse, but rather as an ‘acknowledgement that the abuse was wrong and should not have occurred (DART, 2014, p. 33)

Five categories were put in place, each with an increasing amount of reparation available dependent on the seriousness of the abuse. The first four categories related directly to abuse, while the fifth category related to mismanagement of the complaint by Defence. The categories of abuse and their respective amounts were:

Category 1:  $5000;
Category 2:  $15,000;
Category 3:  $30,000;
Category 4:  $45,000; and
Category 5:  $5,000

As at 27 October 2014, over half of the final decisions relating to categorisation and payment of reparation had been made, with a total of $46.705 million already paid.

Most importantly, it was found that of the 1220 final decisions made by that date, over 95 per cent involved some form of mismanagement (Category 5) by Defence.

Defence Abuse Restorative Engagement Program

The DLA Piper Review found victims sought opportunities to tell their story to ensure what happened to them didn’t happen again. Also, victims wanted face-to-face meetings with Defence representatives when telling their story and to be able to obtain a formal assurance that cultural shortfalls, and the abuse, would be addressed.

Developing on from the DLA Piper recommendation, the Taskforce instituted a program of facilitated conferences with Defence representatives in an environment encouraging openness by both parties. Conferences were an opportunity to engage with Defence in a non-adversarial environment in order for victims to tell their story and have it acknowledged by a senior member of Defence. By October 2014, over 70 such facilitated conferences had been conducted with a further 60 expected by the end of that year.
Referral of appropriate matters to civilian police

This option provided a complainant the opportunity for the Taskforce to refer their matter to a police agency if an allegation of a criminal offence has been made. Prior to referral, the Taskforce assess the information provided to determine if the abuse complained about is likely to be a criminal offence. This option has been under utilised by complainants for reasons which were not explored in the Taskforce’s report, and with only 80 complaints referred to State and Territory policing agencies.

Referral to the CDF for administrative and/or disciplinary action

This option had relevance only if the alleged abuser was still a member of Defence. Referrals to the ADF were generally made where it had been determined the behaviour of the abuser had not been dealt with or correctly managed and it was considered the abuser was at risk of re-offending. In that regard, Defence had a number of options available to them:

i. Referral of the matter to the Australia Defence Force Investigative Service (ADFIS) for the determination of whether or not to conduct an investigation under the Defence Force Discipline Act 1982 (DFDA),

ii. Referral of the matter for administrative inquiry, and

iii. Commencement of administrative action, the outcomes of which ranged from counselling, formal warnings, censures and removal from the service.

By October 2014, the Taskforce had referred 40 cases for administrative or disciplinary action. This low number is in contrast to the fact that, according to the Taskforce, over 590 alleged abusers are still employed in the Permanent Forces and the Australian Public Service, with 204 in the Active Reserve.

4. The findings of the DART

Over 2000 cases of abuse were reported to the DART, with the earliest being recorded from 1940. All three services were involved. The Royal Australian Navy, however, had the largest number of reports. While in the early years men were most likely to suffer, women, as they increased their ADF workforce participation, became and still remain the more likely to suffer abuse, typically sexual in nature. Whilst all abuse types featured, typically harassment and bullying featured most.

4.1 Overview

At the conclusion of the consultation period, 2,224 cases of abuse had been assessed as plausible, with the earliest report of abuse occurring in 1940. It was found abuse was not confined to any one particular type and in some cases; complainants had experienced
multiple types of abuse. Additionally, it was discovered the 1970s and 1980s were a peak period with the 1990s and 2000s maintaining high instances of abuse as well.

In terms of abuse across all three services, Army received more complaints (879) than Navy (861), however, as Navy traditionally has a smaller workforce than Army, the Navy’s statistics were more concerning. Furthermore, the Air Force shares a similar workforce size to that of Navy, yet Navy had twice as many reports of abuse as Air Force (378).

Looking deeper into the statistics, men were revealed to be more likely to be victims of abuse, at least until the late 1980s. This was seen to be attributed to the traditionally high male population in Defence at that time. As can be seen in the graph below, however, instances of abuse against women began creeping upwards significantly into the 1990s and beyond. This can be attributed to the increase of their participation in the ADF workforce and, as found by the Taskforce, the objectification of them.

![Graph showing gender spread of complaints over time.](Adapted from DART, 2014, p. 90)

It was determined by the Taskforce that abuse across all three services had similar characteristics. It was discovered that some forms of abuse began during recruit training, generally by peers or by those more senior to them in the training pipeline, and was often accepted by supervisors. Further, it was found that those abused potentially went on to abuse others, either because they were forced to or because they chose to.

While no specific data was provided, most complainants stated they experienced some form of abuse from a person higher in rank than them, suggesting those who turned to abusing may have prevailed into positions of authority, unchecked.

### 4.2 Harassment and Bullying
While abuse of all types was reported, harassment and bullying formed over 65 per cent of complaints made to the Taskforce. Harassment was said to begin early in a person’s career, typically during hazing rituals, which were presided over by peers with superiors present, creating an environment of acceptability. Harassment came in many forms and often involved a reinforcement of the abuser’s position over the abused. Not confined to degrading acts designed to humiliate, harassment also targeted gender, race, sexuality (actual and perceived) and physical capability.

4.3 Physical and sexual abuse

Following on, physical abuse also featured prominently with 48 per cent of cases involving this type of abuse. Physical abuse tended to be a progression of bullying and harassing behaviour, involving, but not limited to, harsh training exercises, blanket bashing and assaults with the purpose of cementing the abuser’s position in the hierarchy. Sexual abuse was found to be most prevalent during the 1970s and 1980s and usually involved some form of degrading behaviour towards young men, such as forced nudity or sexual acts. These acts were generally perpetuated by their peers in the training environment, however there were instances where it followed into their careers. Although sexual harassment was not widely reported in earlier decades, it grew in trend from the 1980s and was attributed again to the increased female participation in the ADF workforce.

Since increasing their workforce participation there has been an overrepresentation of women across all abuse types, with 43 per cent of all complaints received involving them. It was determined by the Taskforce that women were more likely than men to have experienced sexual abuse or harassment throughout their career and more recently almost all cases of sexual abuse were experienced by women.

5. Contributing factors to abuse

There are certain intrinsic features of service in the ADF which increased the likelihood abuse would occur. Features such as a robust hierarchical structures, remote working locations and a culture of encouraged substance abuse and discouraging of reporting all contributed to an abusive environment. Reported incidents were also seen to be mismanaged more often than not.

5.1 Hierarchy

Analysis of the evidence collected by the Taskforce revealed common themes amongst those accounts provided. Like most organisations, Defence has a hierarchical structure, although arguably more enforced than its civilian counterparts. The influence of a hierarchy (both official and unofficial) was seen as one of the contributing factors to the prevalence of abuse. Often, the abuser was higher in position than the abused and not always necessarily the abused person’s supervisor but someone higher still in the organisation. The existence of such a volatile ‘chain of command’ was seen as an impediment to reporting of abuse.
5.2 Discouraged reporting

Further, it was a recurring theme that Defence maintained a culture which discouraged the reporting of abuse by victims or witnesses, and where a report was made, the complainant was potentially punished. The combination of a toxic hierarchy and a culture of silence fostered an environment where abuse was considered the norm and supported.

5.3 Isolated and remote work environments

By the very nature of its work, Defence tends to operate in remote and isolated environments. These types of environments contributed to the stressors of abuse by removing opportunities for complainants to distance themselves from their abusers. Where complainants lived in on base accommodation, abuse was said to have continued after hours, due in part to poorly supervised accommodation areas. Further, it was found that when reports were made, after-hours staff failed to adequately intervene.

5.4 Alcohol and drug use

Although part of normal society, alcohol, and to some extent illicit drugs, contributed to instances of abuse. Alcohol was seen as a contributor to physical abuse and an excuse for unnecessary treatment, particularly during hazing rituals. Shockingly, sexual abuse was said to occur when the victim was intoxicated and unable to protect themselves, while forced consumption of alcohol, in lieu of reprisal, was part of an acceptance model employed to initiate new members to a team.

Where alcohol was not a contributing factor, having a real or perceived difference to everyone else contributed to a person’s victimisation. The difference could relate to race, religion and sexuality, or, in some instances, the physical ability of the person. The Taskforce highlighted what it called a ‘survival of the fittest mentality’ (DART, 2014, p. 82) where only the best of the best would succeed, and a perceived weakness attracted potential abuse.

5.5 Mismanagement of complaints

In conjunction with the highlighted contributors, mismanagement through failure to employ or follow process was an additional aggravating factor. The Taskforce discovered a tendency by victims to not report abuse for fear of reprisal and when reports were made, it was found the victim was either not believed or the reported abuse was considered part of normal military employment at the time. In other cases where a victim had visible signs of injury, which in all reasonable circumstances warranted further investigation, no action was taken by those in a position to do so, particularly as it was usual for the abuser to be the victim’s supervisor, and going beyond the chain of command was not normal.

While statistics are helpful and go some way to demonstrate the problem, it is the actual accounts of complainants which provide clarity. The report provides 15 individual accounts,
each describing various forms of abuse and all highlight consistent themes—poor local culture, poor leadership and poor or non-existent complaint handling.

6. **External examples of abuse**

As a large organisation, the ADF could be considered more likely to suffer from higher levels of abuse, however, when compared to civilian organisations, size become less a factor rather than the way that the organisation’s employees behave and the way that management address the behaviour. As the examples of Ambulance New South Wales and Brodie Panlock demonstrate, abuse and poor complaint handling can occur anywhere.

The Taskforce’s report and findings provide insight into the failings of the ADF over the last 70 years. As the ADF is such a large organisation and arguably one of Australia’s biggest employers, small to medium business owners may take the view that these issues will only occur in organisations of similar size and structure. This assumption is wrong—consider the following examples.

6.1 **Ambulance New South Wales**

Consider the case of Christine Hodder, a New South Wales Ambulance Officer from Cowra in the New South Wales central west. Christine committed suicide in April 2005 after being subjected to ‘personal taunts and insults, ostracism, sexual discrimination, degrading treatment and being constantly discredited in front of patients’ (NSW Parliament Legislative Council, General Purpose Standing Committee No. 2 [GPSC No.2], 2008). Despite two reports being made by Christine, the abuse still continued. In her written submission to the Committee, Christine’s mother Carolynn Hodder said all levels of the Cowra station were complicit, and the other officer’s behaviour targeted her daughter because she was a woman (Submission 108 to GPSC No.2, 2008). In its report, the Committee highlighted issues similar to those experienced by the ADF. It found that Ambulance Officer’s in other Stations had suffered bullying and were not prepared to come forward due to possible repercussions for reporting it. It also found that when reports were made, they were poorly handled further impacting on the physical and physiological welfare of the victim (GPSC No.2, 2008, chap. 3). Again, like the ADF the NSW Ambulance Service instituted a taskforce to examine ways to resolve the problem.

6.2 **Café Vamp and Brodie Panlock**

Many people may not have been aware of the NSW Ambulance Service’s issues, however, most would have heard of Brodie Panlock. Brodie was a 19 year old girl who worked at a small café called Café Vamp in Hawthorn, a suburb of Melbourne. After being subjected to long term and routine intimidation including being held down while oil was poured over her and being told she was worthless, she tragically committed suicide in December 2006. During the Coroner’s investigation it was found that not only had her co-workers ‘systematically bullied her, both physically and emotionally...’ but management had turned a
‘blind eye and had done nothing to prevent the bullying from continuing’ (State Coroner Victoria, 2008).

Both stories are tragic and leave a legacy for the families who are left behind. In Brodie’s case, the Victorian government criminalised serious bullying behaviour in what is now known as Brodie’s Law (VIC Department of Justice and Regulation, 2015), extending the anti-stalking provisions under the state’s crime legislation. These two examples demonstrate that the size of an organisation is not necessarily an aggravating factor. While no specific data for workforce size for 2005 could be found, in 2010 the NSW Ambulance Service had just over 4000 staff (Ambulance Service of NSW, 2015), with only moderate increases to 2014. Similarly, no data exists of Café Vamp, however it is known from the media that at least 5 people, including Brodie, were employed there at the time of her death. In all cases size doesn’t matter. It is how the people that the organisation employs behave and whether or not there are real controls and processes in place which enable them to be held to account for poor behaviour.

7. Lessons to be learned

Much can be learned from observing the issues faced by the ADF, but what can be done to prevent abuse from occurring in your workplace? The following table examines some of the issues faced by the ADF and what can be done to prevent them.

7.1 Table 1: Issues and Preventative Measures

<table>
<thead>
<tr>
<th>Issue</th>
<th>Preventative Measures</th>
</tr>
</thead>
<tbody>
<tr>
<td>A culture of ‘turning a blind eye’</td>
<td>Create a safe work environment by demanding loyalty amongst employees and reward those who show courage</td>
</tr>
<tr>
<td></td>
<td>Conduct regular risk ‘health checks’</td>
</tr>
<tr>
<td></td>
<td>Ensure the organisation’s values and commitment to a safe workplace are part of new employee induction processes</td>
</tr>
<tr>
<td></td>
<td>Conduct annual training to ensure regular currency with the organisation’s policies on workplace behaviour and WHS</td>
</tr>
<tr>
<td>A culture of acceptance</td>
<td>Demand a zero tolerance for workplace abuse through overt leadership and promotion of appropriate behaviour</td>
</tr>
<tr>
<td></td>
<td>Require employees to have a ‘finger on the pulse’ approach and be in tune with what is happening in their workspace</td>
</tr>
<tr>
<td>Ignorance of the types and forms of abuse</td>
<td>Train employees to recognise the different types of abuse and empower them to intervene early</td>
</tr>
<tr>
<td>Discouraged reporting, even subtly, of abuse</td>
<td>Encourage open communication and provide safe avenues for reporting such as a whistle blower scheme</td>
</tr>
<tr>
<td>Failure to address abuse and to</td>
<td>Have robust workplace behaviour policies which as a minimum</td>
</tr>
</tbody>
</table>

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provide appropriate support mechanism of all involved parties

include:
- a detailed policy purpose;
- a list of behaviours and a description of each;
- the employer expectation for employees
- a description of what happens when a breach occurs, including possible outcomes;
- an ‘actions on’ list for when a complaint is made;
- points of contact for support, making complaint and details of whistle-blower schemes etc

Provide support to all parties involved during grievance investigations
Ensure all investigations are transparent and observe natural justice and procedural fairness
Have a follow up process in place to continually monitor the welfare of all involved

8. A Personal Perspective on Abuse in the ADF

I joined the Royal Australian Navy in 1991 as a 16 year old. As the eldest of three children and coming from a predominantly military family, I felt I was prepared for the challenges recruit training would bring. My first experiences of military life involved being barked at by the Officer on the bus outside the recruiting centre, and having my lunch thrown at me. I considered it was all part of recruit training experience and I expected it to be tough, after all we were being trained for a job not many were deemed suitable to do.

I was lucky throughout my recruit training, particularly because I was 16 and older members of my class tended to look out for me. Recruit training is all about assimilating someone into the military environment and it starts with having your head shaved. I recall one of my classmates crying as the barber, laughing with our instructor, cut off my classmate’s pony-tail and dropped it into his lap. At the time I didn’t think much of it but with age and experience and having been an instructor to recruits, I can see how that sort of behaviour is detrimental.

In the recruit training environment an unofficial hierarchy exists amongst recruits. In my day, normal recruits wore white lanyards on their uniform. Throughout training, individuals were rewarded for their performance and generally two or three recruits in each class were promoted to Leading Recruits. We called them ‘Red Ropes’ because they got to wear red lanyards instead. Their job was to mentor and take charge of us and some took their role extremely seriously and often acted outside of their authority. Throughout recruit training, any drop in performance or failure to follow direction would attract what was called a bullring run. They were hard, long and given out regularly and the ‘one in, all in’ rule applied. As an example, on one occasion during marching practice I couldn’t keep the step
and as result my entire class were made to do four bullrings with me. I wasn’t popular at the end of the day but nothing happened to me because of it. However, I remember my roommate being blanket bashed by two Red Ropes from his class for causing them to get bullrings, and then getting bashed myself when I tried to stop it.

I remember in the early stages of my career a pressure to be ‘one of the boys’ by getting involved in whatever that may have entailed. I remember encouraged drinking to excess with the sign of a good weekend based on the size of your hang over, and the ‘war stories’ you had to share on Monday morning. If you didn’t drink there was something wrong with you, and if you didn’t participate in the activities your peers and superiors engaged in while in foreign ports you were considered an outsider. I was an outsider for the majority of my career because I chose not to run with the pack, but over time it became less relevant as I rose in rank and surrounded myself with like-minded individuals.

During my career I saw a lot of changes made to the ADF, and more specifically to the Navy. In particular, I remember when female sailors were no longer referred to as WRANS (Women’s Royal Australian Naval Service) and when they began wearing the same uniform as their male counterparts. I also remember the phasing out of male-only crews and the first female Commanding Officer I ever worked for, who in my opinion was one of the toughest and fairest Commanding Officer’s I served. I also remember when homosexuality was no longer considered taboo.

Fast forward a few more years and now the LGBTIQ community within Navy (and the other two services) quite rightly march in Sydney each year at the Mardi Gras, and share the same entitlements for housing and relationship recognition as their heterosexual shipmates. The old mentality of ‘the ships are made of timber and the men are made of steel’ is slowly ebbing away in favour of a more modern approach. Sadly however, some females still believe they need to adapt their behaviour in order to fit in. While this is slowly being managed out I will always remember one of my closest female colleagues opining that to be a successful female in the Navy you needed to decide “if you wanted to be a bitch, or a bike”.

When I made the choice to become a Service Policeman, and then an ADF Investigator, I began to fully realise what sort of problem the ADF had with misconduct. During my time, I investigated some extremely poor behaviour, some of which was criminal. I saw everything from harassment and workplace violence to drug use, sexual assault and fraud. Some, if not all of these incidents (Skype, HMAS Success, HMAS Ballarat and the Jedi Council) have been reported in the media and I am not shocked by some who say they feel embarrassed to serve in the ADF, because at times I have shared their feelings. In the wake of those incidents and DLA Piper, and more recently DART, the ADF has started to move beyond band-aiding. The Navy’s ‘Next Generation Navy (NGN)’ initiative and the ADF’s overarching ‘Pathway to Change’ policy seek to rectify the culture and leadership shortfalls of the past. Now, more than ever, ADF members are held to a higher standard of behaviour and future leaders are being trained in ethical leadership. Where poor behaviour does occur, it is being dealt with expediently and appropriately and policies and frameworks have been installed to
ensure this occurs. Much has been done to ensure that past does not repeat itself but it will require a commitment at all levels to remain successful.

9. Final comments

The ADF and the Navy over a number of years had attempted to address abuse, however, failed to meet expectations, and as a result abuse continued. The DLA Piper Review recognised more was required. The outcomes of the DART has gone someway to resolving the issue of abuse.

Over 2000 cases were assessed and the results were very sobering for the ADF. Complainants covered all three services and often had suffered multiple types of abuse, generally from the beginning of their career. And while both sexes suffered abuse at high levels, women were seen to be more likely to be abused as their participation in the ADF workforce increased. Harassment and bullying were found to be the most prevalent and factors such as a toxic hierarchy, discouraged reporting, the mismanagement of complaints, and, in some cases, the misuse of alcohol and drugs, were all seen to contribute to instances of abuse.

Civilian workplaces can learn a lot form the ADF, and in some cases the experiences of Café Vamp and Ambulance NSW. A combination of poor culture, poor leadership and complaint handling creates an environment where abuse can occur and prevail. Such an environment has the potential to have long and devastating effects on the employees and ultimately the reputation of the organisation. To avoid this, organisations must promote a safe culture which encourages open communication and empowers their employees to report abuse, invests in training in appropriate workplace behaviour and has policies which appropriately address the issue. The ADF has embarked on a journey of self-reflection and healing under the auspices of the ‘Pathway to Change’ initiative and it will require commitment at all levels to ensure that history doesn’t repeat itself.

Jason Clark
26th May 2015
Resources


Endnotes

1 On 29 March 2011, a male Cadet at the Australian Defence Force Academy streamed live footage of himself engaging in consensual sexual intercourse with a female Cadet without her knowledge. The Skype footage was viewed by other male Cadets in a nearby dormitory. In 2013 the offender and his male accomplice were found guilty and placed on good behaviour bonds for 12 months, avoiding jail.

2 The Rapke Report of 1971 explored allegations of violence, hazing rituals and bullying at the Junior Recruit Training establishment, HMAS Leeuwin in Western Australia.

3 In 1992 the Royal Australian Navy held a Board of Inquiry into reports of sexual assault and harassment involving a civilian Doctor and other female members of the crew onboard Navy ship HMAS Swan.

4 In 1998, the Australian Defence Force commissioned a review into the effectiveness of extant procedures for handling instances of sexual assault and harassment at the Australian Defence Force Academy.

5 As a result of poorly handled complaints of unacceptable behaviour including sexual harassment, bullying, tribalism and intimidation, the Royal Australian Navy held a Commission of Inquiry (COI) to examine what had occurred onboard Navy ship HMAS Success. In 2011 the Commission released Part 2 of its report which specifically examined the management of unacceptable behaviour by senior members of the crew.

6 In 2011, a group of Senior Officers and Non-Commissioned Officers in the Australian Army calling themselves the Jedi Council were alleged to have filmed and shared images of themselves, without consent, engaging in sexual acts with females. During a joint civilian police and ADF Investigative Service a number of offenders were identified and as a result charged with numerous offences.

7 Hazing or initiation rituals are common in Defence and generally involve those new to the ADF. As an example the Royal Australian Navy practices a ‘Crossing the Line Ceremony’ for all sailors who are sailing over the equator for the first time in their career. Initiation rituals are frowned upon as they represent opportunities for violence to be masked as fun. The Navy still conducts the Crossing the Line Ceremony, however, it has now been heavily regulated to ensure the safety of all participants.

8 Blanket bashing is a form of physical abuse where the victim has a blanket pulled over their head while being physically assaulted. In other cases a block of soap is wrapped inside a towel and the person is repeatedly hit.

9 The Bullring consisted of a path which circled the confines of the accommodation blocks at the Recruit Training School at HMAS Cerberus. It was approximately 200 metres long and was given as punishment for a minor infraction of the rules.

10 In late 2013, at least five male sailors onboard HMAS Ballarat had reportedly been sexually assaulted during a hazing ritual known as ‘Pen in the Dot’.